IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.375 OF 2005

M.Bobby Thomas Varghese ... Applicant

versus

Julie Thomas Varghese & anr. ... Respondents

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Mr. B.M. Bopardikar, for the Applicant.

Ms. Monica Sakhrani with Ms. Swarna Jha, for the Respondent No.1.

Mr. K.V. Saste, A.P.P., for the State.

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CORAM : A.M.KHANWILKAR,J.

31st January 2005

P.C.:

1. Heard Counsel for the parties. Rule. Rule made returnable forthwith by consent. Ms. Sakhrani waives notice for Respondent No. 1. Mr. Saste, A.P.P., waives notice for Respondent No. 2. As short question is involved, petition taken up for final disposal forthwith by consent.

2. Respondent No. 1 has initiated criminal action against the Applicants by filing F.I.R. being CR.No. 278/2003 registered with Mulund Police Station. By this petition, the Applicant pray that the said F.I.R. be quashed. It is stated by the Counsel appearing for the parties that both sides have amicably resolved all the contentious issues pending between them and in that view of the matter, Respondent No. 1 is not interested in continuing with the criminal action against the Applicants. Parties are personally present in Court, who accept this position. In the circumstances, in the interest of justice, this petition deserves to be allowed in terms of prayer clause (a). F.I.R. registered with Mulund Police Station being CR.No. 278/2003 and all consequential proceedings founded on that C.R. are quashed.

3. It is agreed between the parties that the properties handed over by the Applicant to the investigating officer of Mulund Police Station will have to be returned to Respondent No.1. In view of this arrangement, petition succeeds also in terms of prayer clause (b). Ordered

accordingly.

(A.M.KHANWILKAR,J.)